

Appl. No. 10/645,079
Docket No. 9343
Reply dated 8/2/06
Reply to Office Action mailed on 7/13/06
Customer No. 27752

REMARKS

Election with Traverse under 37 CFR § 1.143

The Examiner has required the Applicants to restrict the claims of the above captioned application. Specifically, the Examiner alleges that the application contains claims directed to four patentably distinct inventions. The Examiner has designated Claims 1-13 as Invention I, Claims 14-20 as Invention II, Claims 21-23 as Invention III and Claims 24-25 as Invention IV.

Under MPEP § 803, election/restriction is proper when both of the following criteria are met: (1) The inventions must be independent or distinct as claimed; and (2) There must be a serious burden on the Examiner if the restriction is not required. The Examiner indicates that the class 510 and subclass 130 would be identical for both Inventions I, II, and III. Applicants respectfully submit that any prior art search set up for the particular Invention I will be coextensive with any search for the Invention II of the present invention. Moreover, any prior art search set up for the particular Invention II will be coextensive with any search for the Invention III of the present invention. Further, any prior art search set up for the particular Invention I will be coextensive with any search for the Invention III of the present invention. Applicants respectfully submit that examination of the present application, as a single unrestricted application, would not be unduly burdensome on the Examiner because a thorough art search of all of the identified classes and subclasses could easily be performed in a single application.

In view of the foregoing remarks, it is respectfully requested that the Examiner withdraw the requirement for restriction and allow Claims 1-25 to be prosecuted in the same application or in the alternative allow Claims 1-23 to be prosecuted in the same application. Should the Examiner's restriction requirement not be withdrawn, Applicants hereby provisionally elect, with traverse until final disposition of the elected claims, Invention I which corresponds to current Claims 1-13.

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Conclusion

Applicants respectfully request the Examiner to withdraw the restriction requirement and request reconsideration of this application and allowance of Claims 1-25.

Respectfully submitted,

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